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STATE OF COLORADO

COLORADO DEPARTMENT OF HEALTH S.D.O.E.

Dedicated to protecting and improving the health and environment of the people of Colorado

4300 Cherry Creek Dr. S.
Denver, Colorado 80222-1530
Phone (303) 692-2000

Laboratory Building
4210 E. 11th Avenue
Denver, Colorado 80220-3716
(303) 691-4700

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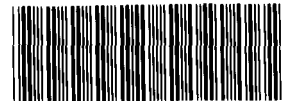


Roy Romer
Governor

Patricia A. Nolan, MD, MPH
Executive Director

October 1, 1993

Mr. James K. Hartman
U.S Department of Energy
Rocky Flats Plant
Building 116
P. O. Box 928
Golden, Colorado 80402-0928



000030259

RE: Reply to Phase II Streamlining Proposal, OU-4, Solar Evaporation Ponds

Dear Mr. Hartman,

The Colorado Department of Health, Hazardous Materials and Waste Management Division (the Division) acknowledges receipt of DOE's letter, dated September 17, 1993, regarding your proposed approach to streamlining Phase II investigations and remedial decisions relative to OU-4.

The Division and EPA agreed on August 13, 1993 to a discussion of the streamlining issue. Contrary to your letter, the discussions initiated by DOE to date have been cursory and secondary, as was appropriate, to resolving the OU-4 dispute. Consequently, we believe your formal proposal to be pre-mature pending substantive discussions and inappropriate under the terms of the August 13th agreement.

As you know, the revised milestones for OU-4 were originally due to the Division and EPA on September 7th. Despite the approval of an extension to September 13th, the delivery of revised milestones was further delayed until September 17th for the purpose of developing and transmitting your proposal for Phase II streamlining. Despite our assurances in the agreement of August 13th, you chose to make Phase II streamlining, in essence, a part of the dispute resolution process. Holding at ransom the revised milestones has served to further delay discussion of the Phase II issues.

We reiterate our commitment to discuss, and as appropriate, revise the future milestones of OU-4. However, this should be done under joint review not as a unilateral proposal. We do not concur with a number of suggestions contained in your letter but prefer open discussions with your staff so as to create an acceptable alternative to the IAG process specific to OU-4. This approach should eliminate a lengthy exchange of formal proposals and counter-proposals.

Despite our preference for open discussion, we are obligated to respond to your reference to "the new Groundwater OU." This topic, contrary to your letter, has not been under consideration by the Rocky Flats Quality Action Team (nor any other forum of which we are aware) and is currently not an approved alternative.

16544

MHS
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DOE/RFO
CORRESPONDENCE
INCOMING LETTER

13 DOE 17009

MAILROOM

ACTION F/14

DUE DATE

ELSON, R.M.	
RAUN, R.H.	
ISHOP, M.L.	
RAINARD, B.	
ANODE, G.R.	
HARTMAN, J.	X
ZELL, K.	
AROL, M.S.	
MCARIDE, M.H.	
ARGENT, D.	
HUTHERILL, P.E.	
DAMS, J.J.	
ANDERSON, T.W.	
BAUN, A.L.	
JUFFY, G.G.	
HOFFMAN, R.B.	
EDERNIER, R.J.	
OCKHART, F.R.	X
UKOW, T.E.	
GLINGER, S.	
RASK, W.C.	
RUSCITTO, D.G.	
SCHASSBURGER	X
BRACKEN, K.I.	
RETHEL, I.	
HARGREAVES, M.	
HICKS, D.A.	
HUFFMAN, G.N.	
MALCHESKI, D.	
MCCORMICK, M.S.	
MILLER, H.G.	
OSTMEYER, R.M.	
PEWTSCH, E.	
POSLUSZNY, J.	
RAMPE, J.	
REECE, J.	
STEWART, J.D.	
VANDERPUY, M.	
WALLIN, B.	
WITHERILL, PEG	X

DOE

RECORDS

NOTE:

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BY: DATE:

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Roy Romer
Governor

Patricia A. Noel
Executive Dir.

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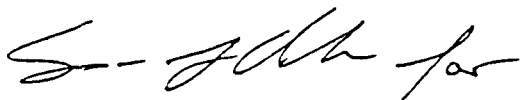
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17009

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Please instruct your staff to arrange an initial meeting with Harlen Ainscough of my staff at 692-3337.

Sincerely,

A handwritten signature in dark ink, appearing to read "G. W. Baughman" with a stylized flourish at the end.

Gary W. Baughman, Chief
Facilities Section
Hazardous Waste Control Program

cc: Daniel S. Miller, AGO
Jackie Berardini, CDH-OE
Martin Hestmark, EPA
Arturo Duran, EPA
A. Pauole, DOE
Richard Schassburger, DOE
Frazer Lockhart, DOE